

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 9, 2017: Yeas 138, Nays 7, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1208 on May 24, 2017: Yeas 119, Nays 22, 3 present, not voting; passed by the Senate, with amendments, on May 22, 2017: Yeas 31, Nays 0.

Filed without signature June 15, 2017.

Effective June 15, 2017.

FILING FEES IMPOSED IN CIVIL CASES IN HIDALGO COUNTY AND CAMERON COUNTY

CHAPTER 781

H.B. No. 1234

AN ACT

relating to filing fees imposed in civil cases in Hidalgo County and Cameron County.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 51.711, Government Code, is amended by amending Subsections (b), (f), (g), (h), and (i) and adding Subsection (e-1) to read as follows:

(b) Except as otherwise provided by this section and in addition to all other fees authorized or required by other law, the clerk of a court shall collect a filing fee of not more than \$20 in each civil case filed in the court to be used:

(1) for the construction, renovation, or improvement of the facilities that house the Hidalgo County or Cameron County civil courts; and

(2) to pay the principal of, interest on, and costs of issuance of bonds, including refunding bonds, issued for the construction, renovation, or improvement of the facilities that house the Hidalgo County or Cameron County civil courts.

(e-1) If Hidalgo County or Cameron County has adopted a resolution authorizing a fee as provided by Subsection (e) that is abolished on or before October 1, 2030, the county may:

(1) adopt a resolution authorizing the fee adopted under Subsection (e) to continue until October 1, 2045;

(2) adopt a resolution providing that the county must continue to spend one dollar for the construction, renovation, or improvement of the court facilities for each dollar spent from the special account dedicated to that purpose; and

(3) file the resolution adopted under this subsection with the county treasurer or with any other official who discharges the duties commonly assigned to the county treasurer not later than September 1 immediately preceding the first 12-month period during which the county has authorized the fee to continue to be collected through October 1, 2045.

(f) A resolution adopted under Subsection (e) continues from year to year until October 1, 2030, if adopted under Subsection (e) before September 1, 2017, or October 1, 2045, if adopted under Subsection (e) on or after September 1, 2017, allowing the county to collect fees under the terms of this section until the resolution is rescinded. A resolution adopted under Subsection (e-1) continues from year to year until October 1, 2045, allowing the county to collect fees under the terms of this section until the resolution is rescinded.

(g) The commissioners court of the county collecting the fee may rescind a resolution adopted under Subsection (e) or (e-1) by adopting a resolution rescinding the resolution

and submitting the rescission resolution to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer not later than September 1 preceding the beginning of the first day of the county fiscal year. The commissioners court may adopt an additional resolution in the manner provided by Subsection (e) after rescinding a previous resolution ~~[under that subsection]~~.

(h) A fee established under a particular resolution is abolished on the earlier of:

- (1) the date a resolution adopted under Subsection (e) or (e-1) is rescinded as provided by Subsection (g); ~~[or]~~
- (2) October 1, 2030, if adopted under Subsection (e) before September 1, 2017;
- (3) October 1, 2045, if adopted under Subsection (e) on or after September 1, 2017; or
- (4) October 1, 2045, if adopted under Subsection (e-1).

(i) Hidalgo County or Cameron County may make the required expenditure described by Subsection (e)(2) or (e-1)(2) at any time, regardless of when the expenditure from the special account occurs.

SECTION 2. Subchapter D, Chapter 101, Government Code, is amended by adding Section 101.061194 to read as follows:

Sec. 101.061194. ADDITIONAL DISTRICT COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a district court in Hidalgo County and the clerk of a district court in Cameron County shall collect an additional filing fee of not more than \$20 under Section 51.711, Government Code, in civil cases to fund the payment of the principal of, interest on, and costs of issuance of bonds, including refunding bonds, issued for the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 3. Subchapter E, Chapter 101, Government Code, is amended by adding Section 101.081193 to read as follows:

Sec. 101.081193. ADDITIONAL STATUTORY COUNTY COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county court in Hidalgo County and the clerk of a statutory county court in Cameron County shall collect an additional filing fee of not more than \$20 under Section 51.711, Government Code, in civil cases to fund the payment of the principal of, interest on, and costs of issuance of bonds, including refunding bonds, issued for the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 4. Subchapter F, Chapter 101, Government Code, is amended by adding Section 101.101192 to read as follows:

Sec. 101.101192. ADDITIONAL STATUTORY PROBATE COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory probate court in Hidalgo County shall collect an additional filing fee of not more than \$20 under Section 51.711, Government Code, in civil cases to fund the payment of the principal of, interest on, and costs of issuance of bonds, including refunding bonds, issued for the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.

SECTION 5. This Act takes effect September 1, 2017.

Passed by the House on May 4, 2017: Yeas 143, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1234 on May 26, 2017: Yeas 139, Nays 5, 2 present, not voting; passed by the Senate, with amendments, on May 24, 2017: Yeas 28, Nays 3.

Filed without signature June 15, 2017.

Effective September 1, 2017.